

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
EASTERN DIVISION**

TODD A. HURD,)	CASE NO. 4:04CV859
)	
PETITIONER,)	
)	
v.)	JUDGE PETER C. ECONOMUS
)	
DAVID BOBBY, Warden,)	
)	
RESPONDENT.)	JUDGMENT
)	

For the reasons set forward in this Court's memorandum and order of this date, it is **ORDERED** that the Magistrate Judge's Report and Recommendation is **ADOPTED**; and **IT IS FURTHER ORDERED** that Petitioner's petition for a writ of habeas corpus, pursuant to 28 U.S.C. § 2254, is **DISMISSED**.

Finally, the Court certifies, pursuant to 28 U.S.C. §1915(a)(3), that an appeal from this decision could not be taken in good faith, and that there is no basis upon which to issue a certificate of appealability. 28 U.S.C. §2253(c); Fed. R. App. P. 22(b).

IT IS SO ORDERED.

/s/ Peter C. Economus - April 18, 2006
PETER C. ECONOMUS
UNITED STATES DISTRICT JUDGE